Chapter 5 The Environment

This chapter presents an analysis of the potential effects the Renton Nickel Improvement Project will have on people and the environment. To determine these effects, WSDOT initiated 21 different studies. The I-405 Project Team documented their detailed analyses in discipline reports that illustrate how the project might affect the area.

The discipline report topics that were prepared for the project are listed below:

- Air Quality
- Cultural Resources
- Cumulative Effects
- Economics
- Energy
- Environmental Justice
- Fisheries and Aquatic Resources
- Floodplains
- Hazardous Materials
- Land Use Patterns
- Land Use Plans and Policies
- Noise
- Public Services and Utilities
- Section 4(f) Evaluation
- Soils, Geology, and Groundwater
- Social Elements
- Surface Water and Water Quality
- Transportation
- Upland Vegetation and Wildlife
- Visual Quality
- Wetlands

These topics follow guidelines from the National Environmental Policy Act and provide information that satisfies numerous federal, state, and local regulations as listed in Exhibit 5-1 on page 5-5. The complete discipline reports are provided in Appendices F through Z on a CD included with this Environmental Assessment (EA).

The study area for each discipline report varied, depending on the geographic extent of the potential effects being evaluated and the type of data needed for the analysis. For example, the analysis of recreation

What is a discipline report?

A discipline report focuses on an environmental topic (discipline) or concern, such as wildlife, noise, water quality, or other built or natural resource. It presents an analysis of the environment with respect to the discipline, describes how the project may affect the environment, and recommends how best to avoid or minimize adverse effects to the environment.

facilities required WSDOT to collect data on parks within one-quarter mile of the I-405 right-of-way. To assess effects on economic characteristics, however, WSDOT used census information and the Puget Sound Regional Council's Transportation Analysis Zone data because these data include a wider geographic area around I-405.

How was environmental information used to improve the project?

Once the I-405 Project Team collected the environmental baseline data, team members met with the roadway design engineers to identify places where project construction effects on the environment could be reduced. For example, to reduce effects on wetlands, WSDOT overlaid wetland locations on the preliminary design plans and adjusted the roadway alignment, reduced the number of roadside slopes by adding retaining walls, and adjusted the location of stormwater facilities. The team visited the study area several times to examine culverts and to determine ways to minimize or avoid effects to streams. They also made similar efforts to reduce or avoid effects to floodplains, and they identified means to reduce the project's effects in terms of noise and visual quality.

How were potential effects evaluated?

After making modifications to minimize or avoid effects, WSDOT again compared the project design to the existing conditions. This comparison enabled WSDOT to determine environmental, social, and economic changes that would result from constructing and operating the Renton Nickel Improvement Project. For example, scientists evaluated what could happen to water quality both during and after construction. Economists examined the effects of traffic congestion on social and economic conditions.

The analysis of project effects took into consideration standard construction practices that have been developed to avoid adverse effects. For example, exposure of bare ground during construction can increase erosion and wash soil into local streams. Because of this potential for adverse effects, WSDOT requires contractors to use best management practices (BMPs) to control erosion and maintain water quality. These standard practices reduce adverse effects and are considered part of the project.

The following sections of this chapter summarize the project's effects as reported in the discipline reports. Many of these studies found that the Renton Nickel Improvement Project will not cause any adverse effects

What are best management practices?

Best management practices, commonly referred to as BMPs, are methods used to minimize or avoid environmental effects. The term 'BMP' is widely used to refer to a variety of common management techniques. These practices represent the most practical methods available and are continually being improved. BMPs are most commonly applied to minimize erosion during construction such as by using silt fences, to control and treat stormwater with BMPs like wetponds and other facilities, and to protect fish and streams during in-water work by limiting work periods to when the fewest fish, particularly salmonids, are expected to be present.

and therefore these studies are not summarized in this chapter. The discipline reports that found no effects are:

- Air Quality: This project will not affect regional air quality and will be in compliance with National Ambient Air Quality Standards. Dust and odors may be present during construction, but these effects will be minor and temporary.
- Cumulative Effects: The Renton Nickel Improvement Project is not expected to have adverse cumulative effects on air quality, surface water, wetlands, or fish. Wetlands will likely be positively affected because the Springbrook Creek Wetland and Habitat Mitigation Bank will develop higher quality wetlands than those being filled by the project.
- **Economics:** This project will benefit the economy by reducing traffic congestion. People will find it easier to get to work and to shopping centers and businesses will be able to move freight more efficiently. In addition, the project will generate roughly \$800,000 in city sales tax revenue that would be split between Tukwila and Renton.
- **Energy:** The project will reduce fuel consumption by reducing the number of drivers who take alternate routes to avoid congestion.
- Environmental Justice: The Renton Nickel Improvement Project will not have disproportionately high or adverse effects on minority and/or low-income people.
- Hazardous Materials: The study area has 14 sites where hazardous materials have been used or stored. None of these sites will be affected by the Renton Nickel Improvement Project.
 - No substantial operational effects were identified during this study. This study represents an initial site assessment to identify hazardous material sites in the study area. Further investigation is recommended for any parcels acquired for this project. There is a low risk that the project will release contaminants as a result of disturbing soils, groundwater, or sediments in construction areas where contamination is present.
- Land Use Patterns: This project is not expected to change the existing or planned land use patterns for Renton or Tukwila. WSDOT will need to acquire property and easements in several areas. These acquisitions are considered to be minor; however, twelve businesses will need to be displaced to make room for the project's stormwater facilities.
- Land Use Plans and Policies: As part of the overall I-405 Corridor Program, this project supports local jurisdictions' land use and growth management plans.

Please refer to the Renton Nickel Improvement Project Transportation Discipline Report in Appendix V for a complete discussion of the transportation analysis.

How will this project improve traffic?

When this project is completed, the Renton Nickel Improvement Project will:

- Increase the number of vehicles able to travel through the study area.
- Improve travel speeds.
- Improve safety by reducing the potential for congestion-related accidents.

Social Elements. Minor, temporary increases in traffic congestion during construction may add to travel times for the public, neighborhood residents, and community service agencies. Once the project is complete, travelers in the study area will benefit from higher speeds and reduced travel times. This project will have no effect on community interactions or cohesion.

Upland Vegetation and Wildlife: This project will permanently remove about 13 acres of low quality wildlife habitat, which is less than 0.01 percent of the total available habitat in the study area. There are no federal or state listed protected wildlife species or wildlife habitat within the study area.

Greater detail can be found in the discipline reports included with this EA as Appendices F through Z. Appendix B presents the measures that WSDOT has committed to follow during construction to minimize and avoid effects to the built and natural environments.

How will the project affect traffic?

On a typical weekday, 127,000 vehicles travel through the project area. During morning and afternoon peak travel times, congestion slows drivers down. The most congestion is seen in the morning on southbound I-405 approaching SR 167; however, congestion is also present on northbound I-405 approaching SR 167. In these areas, typical speeds can be as low as 25 mph. During the afternoon peak travel time, congestion is greatest along southbound I-405 approaching SR 167 and on southbound SR 167 just south of I-405.

Congestion is also present along the other travel directions in the project area. Typical speeds during peak hours can range from 35 mph to about 50 mph.

This level of congestion creates safety concerns. Accident data show that the project area has a higher accident rate than what is average for the I-405 corridor. Sixty percent of these accidents are rear-end collisions, which is consistent with the high traffic volumes.

When construction is complete in late 2010, the Renton Nickel Improvement Project will increase the number of vehicles able to travel through the study area. Our traffic model predicts that about 138,000 vehicle will travel through the project area daily in 2014. If the project is not built, congestion will restrict freeway travel to only 129,000 vehicles a day and travel speeds would be as much as 20 mph slower than if the project is built.

Currently, this section experiences high levels of traffic congestion and associated accidents. These congestion-related accidents account for over 80% of the total accidents in the area. The additional lane will reduce these congestion-related accidents. Because the additional lane will require narrow shoulders and lanes at some locations, a slight increase in sideswipe accidents may occur. Overall, however, the additional lane will reduce the total number and severity of accidents in this area.

What environmental federal, state, and local laws and regulations do we refer to in the Renton Nickel Improvement Project?

The laws and regulations listed in Exhibit 5-1 provide the legal framework for the Renton Nickel Improvement Project EA. These interrelated laws and regulations give us thresholds for evaluating how a transportation project might affect each resource and guide our responses.

Exhibit 5-1. Regulatory Framework

| Statutes/Regulations/Ordinances | Discipline Reports |
|--|---|
| Federal | |
| 42 USC 4231 and 40 CFR 1500-1508 National Environmental Policy Act - promotes the desire for a sustainable environment balanced with other essential needs of the present and future. Established a supplemental mandate for federal agencies to consider potential environmental consequences of proposals and to provide the public an opportunity to comment prior to implementation. | All |
| 16 USC 470 (Section 106 National Historic Preservation Act) – requires federal agencies to take into account the effects of their undertakings on historic or potential historic properties, and afford the Advisory Council on Historic Preservation an opportunity to comment. | Environmental Justice |
| 49 USC 303 Section 4(f) of 1966 DOT Act – preserves the beauty and integrity of public parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. | Section 4(f) Resources and Environmental Justice |
| 23 USC 109(h) Federal Aid Highway Act – calls for uniform interstate design standards to accommodate traffic forecast in the future 20 years. | Transportation, Social Elements, Economics, and Environmental Justice |
| 23 USC 128 Highways – provides the community an opportunity for a public hearing at or near the project. | Social Elements and Economics |
| 23 USC CFR 771 FHWA Right of and Environment – provides requirements to FHWA to implement NEPA for highway projects. | All |

| Statutes/Regulations/Ordinances | Discipline Reports |
|---|---|
| Federal | |
| 42 USC Safe Water Drinking Act – protects public health by regulating the public drinking water supply including its sources. | Transportation; Geology, Soils, and Groundwater; and Hazardous Materials |
| 33 USC 1251 Clean Water Act – mandates the identification and protection of waters in each state. Makes it unlawful for any person to discharge pollutants from a point source into navigable waters, unless a permit is obtained. | Surface Water and Water Quality, and Floodplains; Fisheries and Aquatic Resources; Wetlands; Geology, Soils, and Groundwater; and Cumulative Effects |
| Endangered Species Act of 1973 – provides for the conservation of endangered and threatened species of fish, wildlife, and plants. | Fisheries and Aquatic Resources, Wetlands, Upland Vegetation and Wildlife, and Cumulative Effects |
| 33 USC 401 (Section 10) Rivers and Harbors Act – provides the process for approvals to construct any bridge, causeway, dam, or dike over or in any port, harbor, canal, navigable river, or other navigable water of the United States. | Fisheries and Aquatic Resources and Cumulative Effects |
| 16 USC 1451 Coastal Zone Management Act – preserves, protects, develops, and where possible, restores or enhances the resources of the nation's coastal zone. | Fisheries and Aquatic Resources, Wetlands, and Cumulative Effects |
| 15 CFR 923 to 940 Regulations for Coastal Zone Management – requires states to develop a management program that identifies and evaluates coastal resources in need of management or protection by the state. | Wetlands and Cumulative Effects |
| 16 USC 703-712 Migratory Bird Treaty Act – makes taking, killing, or possessing migratory birds unlawful. | Upland Vegetation and Wildlife |
| 16 USC 668a-d Bald and Golden Eagle Protection Act – prohibits any form of possession or taking of bald and golden eagles. | Upland Vegetation and Wildlife |
| 42 USC 4905-4913 Noise Control Acts – intends an environment free from noise that jeopardizes health or welfare. | Noise and Vibration |
| 23 CFR 772 Noise Abatement – provides procedures for noise studies and noise abatement measures to help protect the public health and welfare, supplies noise abatement criteria, and establishes requirements for information to be given to local officials for use in the planning and design of highways. | Noise and Vibration |
| 42 USC 103 Comprehensive Environmental Response, Compensation, and Liability Act – Superfund Cleanup – addresses abandoned, accidentally spilled, or illegally dumped hazardous waste that pose current or future threats to human health or the environment. | Hazardous Materials |
| 40 CFR Resource Conservation and Recovery Act – provides procedures and standards for hazardous/chemical waste management. | Hazardous Materials |
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Exhibit 5-1. Regulatory Framework (continued)

| Statutes/Regulations/Ordinances | Discipline Reports |
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| Federal | , , |
| USC 7401 Clean Air Act – sets national pollution control standards; allows individual states to have stronger pollution controls, not weaker pollution controls than those set for the nation. | Air Quality and Cumulative Effects |
| Relocation – allows for reimbursement for payment of costs incurred under all Federal Highway Administration (FHWA) utility agreements. | Public Services and Utilities |
| 45 CFR 91 Age Discrimination Act – prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance. The Age Discrimination Act applies to persons of all ages. | Social Elements and Environmental Justice |
| N-4720.6 Civil Rights Restoration Act – prohibits discrimination throughout an entire agency if any part of the agency receives federal financial assistance. | Environmental Justice |
| 29 USC Section 504 Rehabilitation Act – prohibits an "otherwise qualified handicapped individual" to be excluded from participation in a program or activity receiving federal financial assistance. | Environmental Justice |
| 49 CFR American Disabilities Act – prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. | Environmental Justice |
| 42 USC 2000(d) Title VI of Civil Rights Act – prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. | Social Elements, Economics, and Environmental Justice |
| PL 91-646, as amended Uniform Relocation Assistance and Real Property Acquisition Act – assures that the unique circumstances of any displaced person are taken into account and that persons in essentially similar circumstances are accorded equal treatment. | Social Elements and Economics |
| President's Executive Order 11990 Wetlands Protection – prohibits adverse effects associated with the destruction or modification of wetlands and new construction in wetlands, wherever practicable. | Wetlands and Cumulative Effects |
| U.S. DOT Order 56601A Wetlands – requires federal and state agencies to avoid the adverse effects associated with the destruction or modification of wetlands. | Wetlands and Cumulative Effects |
| President's Executive Order 11988 Floodplain Management – requires federal agencies to avoid to the extent possible the long and short-term adverse effects associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development where there is a practicable alternative. | Floodplains |
| President's Executive Order 12898 Environmental Justice – requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. | Social Elements and Environmental Justice |
| President's Executive Order 13166 Improving Access for those with Limited English Proficiency – requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide access to those services. | Social Elements and Environmental Justice |

| Exhibit 5-1. | Regulatory | Framework | (continued) | |
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| Statutes/Regulations/Ordinances | Discipline Reports |
|---|--|
| State | |
| AC 150/5200-33A FAA Advisory Circular – provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. | Surface Water and Water Quality |
| Chapter 197-11 and Chapter 468-12 WAC State Environmental Policy Act – requires the state and local agencies to consider the likely environmental consequence of a proposal before approving or denying the proposal. | Noise and Vibration; Wetlands; Upland Vegetation and Wildlife; Geology, Soils, and Groundwater; Visual Quality; Social Elements; Land Use Patterns; Land Use Plans and Policies; Historical, Cultural, and Archaeological Resources; Environmental Justice; Public Services and Utilities; and Wetlands |
| Chapter 70-107 RCW Noise Control – provides the state statutory authority for establishing maximum noise levels permissible in identified environments, and thereby provides use standards relating to the reception of noise within such environments. | Noise and Vibration |
| RCW 47.40.010 Roadside Improvement and Beautification – declares as a proper highway purpose, the planting and cultivating of any shrubs, trees, hedges, or other domestic or native ornamental growth, the improvement of roadside facilities and view points, and the correction of unsightly conditions, upon the right-of-way of any state highway. | Visual Quality |
| Chapter 36.70 RCW Growth Strategies Act – guides and regulates the physical development of a county or region through connecting both public and private projects and coordinates their execution. | Land Use Patterns, Plans, and Policies |
| RCW 36.70A.070 as amended Growth Management Act – guides the development and adoption of comprehensive plans and development regulations for counties and cities. | Wetlands; Geology, Soils, and Groundwater; Land Use Patterns; Land Use Plans and Policies; and Cumulative Effects |
| Chapter 90.48 RCW Water Pollution Control Act – requires the use of all known, available, and reasonable methods by industries and others to prevent and control the pollution of the waters of the State of Washington. | Surface Water and Water Quality; Floodplains; Fisheries and Aquatic Resources; Wetlands; Geology, Soils, and Groundwater; and Cumulative Effects |
| Chapter 173-200 WAC Ground Water Quality Standards – establishes water quality standards for groundwater and applies to all groundwaters of the state that occur in a saturated zone or stratum beneath the surface of land or below a surface water body. | Geology, Soils, and Groundwater |
| Chapter 173-201A WAC Surface Water Quality Standards – establishes water quality standards for surface waters of the State of Washington consistent with public health and public enjoyment of the waters and the propagation and protection of fish, shellfish, and wildlife. | Surface Water and Water Quality; Floodplains; Fisheries and Aquatic Resources; Wetlands; and Cumulative Effects |
| | |

| Exhibit 5-1. | Regulatory | Framework | (continued) |
|--------------|------------|-----------|-------------|
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| Statutes/Regulations/Ordinances | Discipline Reports |
|--|--|
| State | |
| Chapter 220-110 WAC Hydraulic Code – establishes regulations for the construction of hydraulic project(s) or performance of other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state, and sets forth procedures for obtaining a hydraulic project approval (HPA). | Surface Water and Water Quality; Floodplains; Fisheries and Aquatic Resources; and Cumulative Effects |
| Chapter 246-290 WAC Public Water Supplies – defines basic regulatory requirements that protect the health of consumers using public drinking water supplies. | Geology, Soils, and Groundwater |
| WAC 232-12-292 Washington State Bald Eagle Protection Rules – protects and maintains the bald eagle population so that the species is not classified as threatened, endangered, or sensitive in Washington State. Rules promote cooperative efforts to manage eagle habitat needs through a process which is sensitive to landowner goals as well. | Upland Vegetation and Wildlife |
| Chapter 90.58 RCW Shoreline Management Act – adopts guidelines for local governments when developing master programs for shorelines of statewide significance. | Fisheries and Aquatic Resources, Wetlands, and Cumulative Effects |
| Chapter 47.44 RCW Franchises – requires rules to be adopted to provide for a hearing or an opportunity for a hearing with respect to any franchise application involving the construction and maintenance of utilities or other facilities within the highway right-of-way. | Public Services and Utilities |
| Chapter 468.34 WAC Utility Franchises and Permits – provides the application requirements for franchises and permits. | Public Services and Utilities |
| Chapter 70-105 RCW Hazardous Waste Management Act – establishes a comprehensive statewide framework for the planning, regulation, control, and management of hazardous waste. The intention of this framework is to prevent pollution and conserve resources of the state. | Hazardous Materials |
| Chapter 173-303 WAC Dangerous Waste – implements the Hazardous Waste Management Act and provides processes and standards for management of dangerous and extremely hazardous waste. | Hazardous Materials |
| Chapter 173-360 WAC Underground Storage Tank – addresses the threat posed to human health and the environment by leaking underground storage systems containing petroleum and other regulated substances. | Hazardous Materials |
| Chapter 70.105D RCW Model Toxics Control Act – raises sufficient funds to clean up all hazardous waste sites and to prevent the creation of future hazards due to improper disposal of toxic wastes into the state's lands and waters. | Geology, Soils, and Groundwater; and Hazardous Materials |
| Chapter 173-340 WAC Model Toxics Control Act – addresses the releases of hazardous substances caused by past activities. | Geology, Soils, and Groundwater; and Hazardous Materials |
| Chapter 173-326 WAC Commercial Low-level Radioactive Waste – institutes a user permit system and issues site use permits for generators, packagers, or brokers using the Hanford low-level radioactive waste disposal facility. | Hazardous Materials |

| Statutes/Regulations/Ordinances | Discipline Reports |
|---|--|
| State | |
| Governor's Executive Order 89-10 (Protection of Wetlands) – stated goals of the order are no net loss in function and acreage of existing wetlands and an increase in the quality and quantity of wetlands. | Wetlands and Cumulative Effects |
| Governor's Executive Order 90-04 Protection of Wetlands – requires rigorous enforcement of agencies' authority to assure wetlands are protected. | Wetlands and Cumulative Effects |
| Governor's Executive Order 93-07 Commitment to Diversity and Equity in Service Delivery and in the Communities of the State – directs all executive agencies and institutions of higher education to initiate actions to integrate the principles of diversity into all facets of workplace community and in the delivery of services to the people of Washington. Reaffirms the commitment to the elimination of all barriers to employment that artificially restrict hiring, promotion, recruitment, and tenure on the basis of any physical, cultural, religious, language, or other status that is not directly related to the performance of a job. | Environmental Justice |
| WSDOT Highway Runoff Manual – guides WSDOT, engineering consultants, and many local agencies in design of stormwater systems for transportation projects. | Surface Water, Floodplains, and Water Quality; and Cumulative Effects |
| Local | |
| Renton Municipal Code 4-3-050 Critical Areas Regulations – manages and protects environmental quality and human health and welfare including wetlands, floodplains, and groundwater sources. | Surface Water and Water Quality; Floodplains; Soils, Geology, and Groundwater; and Cumulative Effects |
| Tukwila Municipal Code 16 Buildings and Construction – provides requirements for development and activity within the city districts including public access with bridges and other structures. | Surface Water and Water Quality; Floodplains; and Cumulative Effects |
| King County Code 20.62 King County Landmarks – protects, enhances, and perpetuates the use of buildings, sites, districts, structures, and objects of historical, cultural, architectural, engineering, geographic, ethnic, and archaeological significance located in King County. | Section 4(f) Resources |